

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TYRONE D. ARDS,

Plaintiff,

v.

TIMOTHY CASIANA,
THEODORE ANDERSON, RANDY SCHNEIDER,
MICHAEL J. THOMPSON,
PATRICK STELLICK,
MAURY THILL, and JOE REDA,¹

Defendants.

ORDER

16-cv-341-jdp

Pro se plaintiff Tyrone D. Ards, a state prisoner currently incarcerated at the Wisconsin Secure Program Facility, is proceeding on Eighth Amendment claims against prison officials at his previous prison, the Columbia Correctional Institution. Defendants move for summary judgment for failure to exhaust administrative remedies. Dkt. 40. But their motion is untimely: the deadline was January 13, 2017, Dkt. 20, at 4, and defendants filed their motion on February 3, 2017, Dkt. 40, at 2. I will order defendants to explain why I should consider the untimely motion before requiring Ards to file an opposition to defendants' summary judgment motion.

¹ I have updated the caption to reflect defendants' correct names. *See* Dkt. 41, at 1, 3.

ORDER

IT IS ORDERED that defendants may file by March 6, 2017, a response to this order seeking leave to file an untimely motion.

Entered February 28, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge